IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE GODA RAGHURAM
WRIT PETITION NO : 2980 of 2004

Between:

B.Bujji Kumari, W/o.Late Gopala Krishna, aged: about 36 years, R/o.Near Gayatri Ice Factory, Challapalli Road, Amalapuram,E.G.Dist.

..... PETITIONER

AND

1 The Director,
.Oil & Natural Gas Commission,
9th floor, Jeevan Banth Rower II, New Delhi.
2 The General Manager,
Oil & Natural Gas Commission, Krishna Godavari Project,
Prakash Nagar, Rajahmundry,
E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the inaction of the Respondents in considering the case of petitioner for compassionate Appointment in Respondent corporation i.e., oil and Natural Gas commission, Krishna Godavari Project, Prakasam Nagar, Rajahmundry as illegal, arbitrary, violative of principles of natural justice and consequently direct the 2nd respondent to consider petitioner's case for compassionate appointment in the Respondent corporation immediately as per their reply No.RJY/1/Ds/Misc. 2003/ESTT-1 dated 18-09-2003.

Counsel for the Petitioner: Smt.,G.LAKSHMI

Counsel for the Respondent No.1.: MR.KANAKAMEDALA RAVINDRA KUMAR

Counsel for the Respondent No.2: Kakara Venkata Rao

The Court Made the Following :

ORAL ORDER:-

The writ petition is filed seeking compassionate appointment. The petitioner's husband was working as Junior Engineer (Cementing) with C.P.F. No.76674 in the Oil and Natural Gas Commission (for short ONGC) at the K.G. Project, Rajahmundry, East Godavari district during 21-10-1989 to 24-05-1991. He died on 24-05-1991. He left behind his widow, the petitioner and three young children. In the circumstances having been left destitute, the petitioner saddled with the burden of maintaining the family, completed her S.S.C. examination during 1997 and approached the respondents for compassionate employment. It is pleaded that the respondent-authorities instructed her to obtain technical qualification for obtaining employment in the ONGC. Thereupon, she obtained Typewriting (English) qualification during 1999 and again started approaching the authorities for compassionate employment. Eventually, by a communication dated 18-09-2003 addressed in response to a legal notice issued on behalf of the petitioner, the respondents have informed the petitioner that the ONGC does not have currently any policy or scheme for providing employment

assistance to the dependents of deceased employees and that in the circumstances, the petitioner may get her name registered in the local employment exchange. Once her name has been sponsored by the employment exchange for any vacancies notified in future, her name would be considered for employment, on priority basis, subject to fulfillment of eligibility criteria along with others. At this stage, the petitioner has filed this writ petition.

It is not established from anything pleaded in the writ petition or any material filed in support thereof that the ONGC ever had or has presently any scheme of compassionate employment. In the absence of any extant scheme for compassionate employment, there is no inherent right for any dependent of a deceased employee to claim preferential consideration for employment under any public authority. In the circumstances, no Mandamus can be issued.

The writ petition is accordingly disposed of directing the respondents to consider the case of the petitioner in case any scheme for compassionate employment is engendered by the ONGC in future and subject to the petitioner's eligibility and qualifications for any such employment. No costs.

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GODA RAGHURAM, J

Dt. 06-07-2004
Pvks/*

To

1.The Director,
.Oil & Natural Gas Commission,
9th floor, Jeevan Banth Rower II, New Delhi.

2 The General Manager,
Oil & Natural Gas Commission, Krishna Godavari Project,
Prakash Nagar, Rajahmundry,
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